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July 6, 1998

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Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

**Re: Amendment of Parts 21 and 74 to Enable Multipoint
Distribution Service and Instructional Television Fixed
Service Licensees to Engage in Fixed Two-Way Transmissions -
MM Docket No. 97-217 and RM-9060: EX PARTE
COMMUNICATION**

Dear Ms. Salas:

By transmittal dated July 2, 1998, there was filed on behalf of Indiana Higher Education Telecommunications System, a facsimile copy of its additional comments in the above-referenced rule making proceeding invited by the Commission pursuant to its June 12, 1998 public notice (DA 98-1119). The executed original of these comments were received by this office today and are transmitted herewith. Should there be any questions concerning this matter, please communicate directly with the undersigned.

Very truly yours,


Robert F. Corazzini

Enclosure

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July 2, 1998

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
1919 M Street, N. W.
Washington, D. C. 20554

Re: Amendment of Parts 21 and 74 to Enable Multipoint Distribution Service and Instructional Television Fixed Service Licensees to Engage in Fixed Two-Way Transmissions—MM Docket No. 97-217 and RM-9060: EX PARTE COMMUNICATION

Dear Ms. Salas:

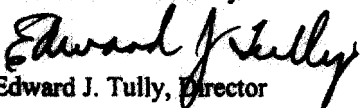
The Indiana Higher Education Telecommunication System ("IHETS") has utilized ITFS Technology for more than 20 years in the distance learning field. In that time, we have become convinced that two-way transmission is necessary to implement distance learning via ITFS. Thus, in response to the Commission's June 12, 1998 Public Notice (DA 98-1119) in the above-referenced proceeding we write to express IHETS support in the expeditious adoption of new rules and policies consistent with the proposals advanced by the ITFS licensees and MDS licensees, operators and equipment vendors (the "petitioners") which is the subject of this proceeding.

IHETS believes that support for the Petitioners' proposals is warranted. The benefits of two-way technology must be fully available for use by educators without delay. Full availability requires that all ITFS licensees be eligible to use their own channels for return path applications if they choose. Since the Petitioners' proposed interference protection rules and policies provide adequate protection of the ITFS interests, adoption of the proposals would serve the public interest. On the contrary, delays in the processing of applications and the commencement of two-way services would appear to be adverse to that interest. Thus, the Commission's new rules must permit the rapid inauguration of two-way services, without application processing delays.

The National ITFS Association, Inc., and the Wireless Communications Association International, Inc., entered into a Joint Statement of Position in January of 1998 which it filed with the FCC in this proceeding. IHETS supports this jointly proposed solution essential to implementing two-way transmissions. It would appear that the flexibility urged by the Petitioners will be vital to the success of the proposal. Although there have been suggestions that ITFS channels not be eligible for two-way transmission, IHETS feels that it must have the ability to utilize two-way transmissions on its own ITFS channels. As we become more fully involved in two-way transmissions, it seems obvious that delay in the complete availability of this technology would not achieve the results that virtually everyone has supported. For this reason, we believe that the two-way licensing process proposed by the Petitioners is a reasonable solution and we fully support that proposal.

Respectfully submitted,

Indiana Higher Education
Telecommunication System


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